

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

<p>IN RE:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of</p> <p>THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i>, Debtors.<sup>1</sup></p>	<p>PROMESA Title III</p> <p>No. 17 BK 3283-LTS (Jointly Administered)</p>
<p>IN RE:</p> <p>THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of</p> <p>THE EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO, Debtor.</p>	<p>PROMESA Title III</p> <p>No. 17 BK 3566-LTS (Jointly Administered)</p>

**RESERVATION OF RIGHTS OF THE BANK OF NEW YORK MELLON  
REGARDING CONFIRMATION OF SEVENTH AMENDED TITLE III JOINT PLAN  
OF ADJUSTMENT OF THE COMMONWEALTH OF PUERTO RICO, ET AL.**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17- BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17- BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

The Bank of New York Mellon (“BNYM”), in its capacity as (i) fiscal agent under the Pension Funding Bond Resolution, adopted on January 24, 2008, by The Employee Retirement System of the Government of the Commonwealth of Puerto Rico; (ii) successor trustee under the Trust Agreement, dated as of March 24, 2006, between the Puerto Rico Convention Center District Authority, as issuer, and JPMorgan Chase Bank, N.A., as trustee; (iii) fiscal agent under Resolution No. 68-18 adopted June 13, 1968, and Resolution No. 98-06 adopted February 26, 1998, by the Puerto Rico Highways and Transportation Authority; and (iv) trustee under the Trust Agreement, dated as of March 1 2015, between the Puerto Rico Infrastructure Financing Authority and BNYM, through its undersigned counsel, hereby submits this reservation of rights to be heard at the pretrial conference and the hearing to consider confirmation of the *Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* (Docket Entry No. 17627, as may be supplemented or amended, the “Plan of Adjustment”):

1. BNYM has communicated comments to the Debtors with respect to the proposed order in support of confirmation of the Plan of Adjustment and reserves all rights thereto, in the event that an amicable resolution is not reached.
2. Representatives from Reed Smith LLP intend to appear on behalf of BNYM at the pretrial conference and the hearing to consider confirmation of the Plan of Adjustment (collectively, the “Hearings”).
3. BNYM does not object to confirmation of the Plan of Adjustment, but reserves its right to be heard at the Hearings, including but not limited to the right to be heard on any matter raised by any party related to the Title III cases, any adversary proceeding pending in the Title III Cases, or the interests of BNYM.

4. BNYM will file a pretrial informative motion and party appearance sheet in accordance with the Court's October 14, 2021 *Order Regarding Procedures for Hearing on Confirmation of Plan of Adjustment* [ECF No. 18502].

*[The remainder of this page was intentionally left blank.]*

Dated: October 19, 2021  
San Juan, Puerto Rico

Respectfully submitted,  
**SEPULVADO, MALDONADO & COURET**

By: /s/ Albéniz Couret-Fuentes  
Albéniz Couret-Fuentes  
USDC-PR Bar No. 222207  
304 Ponce de León Ave. – Suite 990  
San Juan, PR 00918  
Telephone: (787) 765-5656  
Facsimile: (787) 294-0073  
Email: acouret@smclawpr.com

**REED SMITH LLP**  
Luke A. Sizemore (*Pro Hac Vice*)  
Jared S. Roach (*Pro Hac Vice*)  
225 Fifth Avenue, Suite 1200  
Pittsburgh, PA 15222  
Telephone: (412) 288-3131  
Facsimile: (412) 288-3063  
Email: lsizemore@reedsmith.com  
Email: jroach@reedsmith.com

*Counsel to The Bank of New York Mellon*